

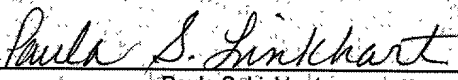
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J1048 U.S. PTO

CERTIFICATE OF EXPRESS MAIL	
NUMBER	EL 831787862 US
DATE OF DEPOSIT	February 7, 2002
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.	
 Paula S. Linkhart	

 Jc872 U.S. PTO  
 10/071485  
 02/07/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: INNS:015—1  
11362.0015.DVUS01

Prior Application Examiner:  
L. Helms

**BOX PATENT APPLICATION**  
Commissioner for Patents  
Washington, D.C. 20231

**Classification Designation:**  
424-145.100

**Prior Group Art Unit: 1642**

### REQUEST FOR FILING DIVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of allowed prior application Serial No. 09/485,737 filed February 14, 2000, entitled "Interferon-Gamma-Binding Molecules for Treating Septic Shock, Cachexia, Immune Diseases and Skin Disorders."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 09/485,737 filed February 14, 2000 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no

amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a) ☒ The inventorship is the same as prior Application Serial No. 09/485,737.
- (b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c) ☒ Priority to PCT/EP98/05165, filed August 14, 1998 is claimed under 35 U.S.C. § 120 and 365(a)-(c). Priority to EP 97870122.5 filed August 18, 1997 and EP 98870139.7 filed June 18, 1998 is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:
- ☐ is enclosed.
- ☒ has been filed in the prior Application Serial No. 09/485,737.

- ☐ 2. The Assistant Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

- ☒ 3. Please charge **Deposit Account No. 01-2508/11362.0015.DVUS01** the amount of **\$776.00** to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$740.00
Total Claims	22 - 20 =	2 X	\$18	36.00
Independent Claims	3 - 3 =	0 X	\$84	00.00
Multiple Dependent Claim(s) -----				\$0.00
<b>TOTAL FILING FEES:</b>				<b>\$776.00</b>

- ☐ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Deposit Account No. 01-2508/11362.0015.DVUS01.
- ☒ 6. Enclosed is a copy of the current Power of Attorney in the prior application.

- ☒ 7. Address all future communications to:

Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

- ☒ 8. The prior application is presently assigned to INNOGENETICS N.V.

- ☒ 9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.

- ☐ 10. Cancel in this application claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained).

- ☐ 11. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. \_\_\_\_\_ filed \_\_\_\_--.

- ☒ 12. Enclosed are formal drawings, Figures 1-33 on 33 sheets.

- ☒ 13. An Information Disclosure Statement (IDS) is enclosed.

- ☒ (a) PTO-1449.

- ☐ (b) Copies of IDS citations.

- ☒ 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. 09/485,737 filed February 14, 2000, 1999, for use in this application.
- ☐ 15. Other: Substitute Specification and Marked-Up Version of Original Specification
- ☒ 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Patricia A. Kammerer  
Reg. No. 29,775  
Attorney for Assignee  
INNOGENETICS N.V.

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: February 7, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Marie-Ange BUYSE  
Erwin SABLON**

Group Art Unit:

Examiner:

Serial No.:

Atty. Dkt. No.: INNS:015--1  
11362.0015.DVUS01

Filed: Herewith

For: **INTERFERON-GAMMA-BINDING  
MOLECULES FOR TREATING SEPTIC  
SHOCK, CACHEXIA, IMMUNE  
DISEASES AND SKIN DISORDERS**

**SUBMISSION OF FORMAL DRAWINGS**

**ATTN OFFICIAL DRAFTSMAN**

Commissioner for Patents  
Washington, D.C. 20231

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Paula S. Linkhart

Sir:

Applicant hereby submits the formal drawings Figures 1-33 on 33 sheets for the above-referenced application and requests that these drawings be accepted for filing.

Respectfully submitted,



Patricia A. Kammerer

Reg. No. 29,775

Attorney for Assignee  
INNOGENETICS N.V.

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: February 7, 2002